

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0060

Z.A.P. DATE: July 17 2007

ADDRESS: 15533 North IH-35 Service Road Northbound

OWNER/APPLICANT: 1908 Howard Lane, Ltd. (David B. Edelman)

AGENT: Jim Bennett Consulting (Jim Bennett)

ZONING FROM: SF-2

TO: CS-CO

AREA: 0.680 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant the applicant's request for the CS-CO (General Commercial Services-Conditional Overlay) zoning district. The conditional overlay would limit the development intensity for the entire site to less than 2,000 vehicle trips per day.

In addition, if the zoning is granted, then the staff recommends that 200 feet of right-of-way from the centerline Interstate Highway-35 should be reserved through a public restrictive covenant in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55)]*

***The agent, Mr. Jim Bennett, requested a waiver from the right-of-way reservation requirement in this case. The Transportation staff contacted TXDOT and they stated that they do not have approved plans or funding available to widen this section of IH-35 at this time. Therefore, the staff recommends that the condition for right-of-way reservation be removed from the staff/Zoning and Platting Commission recommendation.**

ZONING AND PLATTING COMMISSION RECOMMENDATION:

7/17/07: Approved staff's recommendation of CS-CO zoning with added conditions prohibiting Adult Oriented uses and Pawn Shop Services (8-0); J. Martinez-1st, S. Hale-2nd.

DEPARTMENT COMMENTS:

The property in question currently developed with an office/warehouse structure. The applicant is requesting a rezoning of the site to bring the existing development on the property into conformance with the Land Development Code regulations. The staff recommends CS-CO, General Commercial Services-Conditional Overlay District, zoning for the property because it is located on a major arterial roadway and meets the purpose statement for the CS district. There is CS-CO zoning to the north and commercial and industrial uses to the north, south, and east of the site.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Office/Warehouse (Austin Car Protection Window Tint)
<i>North</i>	CS-CO	Warehouse
<i>South</i>	CS	Warehouse, Industrial Storage
<i>East</i>	SF-2	Office/Warehouse (Home Elevator of Texas, Compulink, Inc.), Pflugerville Propane Sales, Equipment Sales (Action Lift)
<i>West</i>	County	Warehouse, Retail Sales (Manufactured Home Sales, Play Scape Sales)

AREA STUDY: N/A**TIA:** Waived**WATERSHED:** Gilleland Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:** N/A**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2007-0017	SF-2 to CS	5/01/07: Approved CS-CO district zoning with additional conditions to prohibit Adult Oriented Businesses, Pawn Shops and Commercial Blood Plasma Center uses (8-0, J. Martinez-absent)	6/07/07: Approved ZAP rec. for CS-CO district zoning by consent (7-0)
C14-05-0048	SF-2 to CS	6/07/05: Approved staff's recommendation of CS-CO zoning with additional condition to prohibit Commercial Blood Plasma Center, Pawn Shop Services, Adult Oriented Businesses; with a public restrictive covenant stating that, "If the Mobile Home (Equipment Sales) use ceases on the site for 180-days or more the applicant will not object to a rezoning of the site to CS-CO to prohibit the Equipment Sales use." Vote: (8-0-1, K. Jackson-abstained)	8/25/0: Approved CS-CO (7-0); 1 st reading 9/29/05: Approved CS-CO (7-0) by consent (7-0); 2 nd /3 rd readings
C14-05-0008	SF-2 to CS-CO	2/15/05: Approved staff's recommendation of CS-CO, the staff's rec. CO would limit the site to less than	3/10/05: Approved CS-CO on all 3 readings (7-0)

		2,000 vehicle trips per day, prohibit Adult Oriented uses and include a reservation of 200-feet of right-of-way from the existing centerline of IH-35; add condition to prohibit Pawn Shop Services (8-0, K. Jackson-absent)	
C14-03-0159	SF-2 to LI	11/18/03: Approved the staff's alternate rec. of LI-CO, with an additional condition prohibiting Adult Oriented Businesses (9-0)	1/8/04: Granted LI-CO (7-0); all 3 readings
C14-03-0101	I-RR to CS	8/12/03: Approved staff's alternate recommendation of CS-CO zoning, w/ condition of no Adult Oriented Businesses (8-0, J. Cortez-left early)	10/23/03: Approved CS-CO (6-0); all 3 readings
C14-03-0083	I-RR to CS	6/24/03: Approved staff's rec. of CS-CO zoning; by consent (7-0, J. Cortez-Not yet arrived, J. Donisi-absent)	7/31/03: Approved CS-CO (7-0); all 3 readings
C14-01-0132	I-RR to GR	11/13/01: To approve staff's recommendation of GR-CO zoning, with a condition to limit development to no more than 2 story buildings for a depth of 100' from Pecan Street (F.M. 1825). (8-0, J. Martinez- absent)	12/13/01: Approved GR-CO on consent (7-0). 1/17/02: Approved (7-0); 2 nd /3 rd readings
C14-00-2226	SF-2 to LI	12/19/00: Approved staff alternate rec. of LI-CO by consent (6-0)- Prohibiting Adult Oriented Businesses, 2,000 vehicle trips per day limit	1/8/01: Approved LI-CO w/conditions (6-0); 1 st reading 7/19/01: Approved LI-CO with conditions (6-0); 2 nd / 3 rd readings
C14-00-2185	SF-2 to LI	10/24/00: Approved staff alternate rec. of LI-CO (9-0) w/ conditions- Prohibiting Pawn Shop Services/ Adult Oriented Businesses	11/30/00: Approved LI-CO (7-0); 1 st reading 5/24/01: Approved LI-CO (6-0); 2 nd /3 rd readings
C14-99-0084	SF-2 to CS-CO	6/22/99: Approved staff alternate rec. of LI-CO (6-0)- 2,000 vehicle trips per day limit	7/22/99: Approved PC rec. of LI-CO w/ conditions (7-0); 1 st reading 4/20/00: Approved LI-CO (7-0); 2 nd /3 rd readings
C14-99-0054	LI to CS-CO	5/25/99: Denied CS-CO (6-0-1, RR-abstain)	7/29/99: Approved staff recommendation of CS-CO w/ conditions (7-0); 1 st reading

			11/18/99: Denied CS-CO (5-2, BG/WL-Nay); valid petition filed, lack of super majority
C14-99-0031	SF-2 to LI	3/23/99: Approved staff alternate rec. of LI-CO (9-0)	5/6/99: Approved P/C recommendation of LI-CO (9-0); all 3 readings
C14-94-0063	SF-2 to CS	6/28/94: Approved LI (7-0)	7/28/94: Approved LI, as amended (7-0); all 3 readings

RELATED CASES: C7A-83-011 (Annexation September 13, 1984)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
IH 35	300'	Varies	Freeway	No	No	No

CITY COUNCIL DATE: August 23, 2007

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:


CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us



 Subject Tract

 Zoning Boundary

 Pending Cases

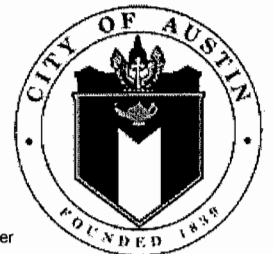
ZONING

CASE#: C14-2007-0060

ADDRESS: 15533 N IH 35 SVRD NB

SUBJECT AREA: 0.68

GRID: N38



1" = 200'

CASE MGR: S.SIRWATTIS

This map has been produced by G.I.S. Services for the sole purpose of geographic referer
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STAFF RECOMMENDATION

The staff's recommendation is to grant CS-CO (General Commercial Services-Conditional Overlay) zoning district. The conditional overlay would limit the development intensity for the entire site to less than 2,000 vehicle trips per day.

In addition, if the zoning is granted, then the staff recommends that 200 feet of right-of-way from the centerline Interstate Highway-35 should be reserved through a public restrictive covenant in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55)]

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The CS zoning district is intended for commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

2. *The proposed zoning should promote consistency and orderly planning.*

The property is adjacent to existing commercial and industrial uses to the north, south, and east. There is CS-CO, General Commercial-Conditional Overlay district, zoning to the north of the site and LI/LI-CO, Limited Industrial District zoning to the northeast and east of the site.

3. *The proposed zoning should allow for a reasonable use of the property.*

The CS zoning district would allow for a fair and reasonable use of the site. The proposed zoning would bring the current use into compliance with the City of Austin Land Development Code regulations.

CS zoning is appropriate for this location because of the commercial and industrial character of the area.

The property in question fronts onto a major arterial roadway, Interstate Highway-35 North.

EXISTING CONDITIONS

Site Characteristics

The site is developed with an office/warehouse structure and is located adjacent to other commercial and industrial uses to the north, south and east. The property has frontage on the Northbound Service Road for Interstate Highway-35.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the CS zoning district would be 95%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	% of Net Site Area	% with Transfers
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

Note: The most restrictive impervious cover limit applies.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Gilleland Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Transportation

The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for IH-35. If the requested zoning is granted, then 200 feet of right-of-way from the centerline should be reserved for IH 35 in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55]

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

A Neighborhood Traffic Analysis is not required per LDC, Sec. 25-6-114.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
IH 35	300'	Varies	Freeway	No	No	No

Grand Street currently is not constructed adjacent to this property.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

In order to obtain City water service for the land use, the landowner must obtain City approval of a Service Extension Request. For more information pertaining to the process and submittal requirements, contact James Grabbs or Phillip Jaeger, Austin Water Utility, 625 East 10th Street, 5th Floor Waller Creek Center. The Austin Water Utility reserves the right to make additional comments and to establish other requirements with the City review of the Service Extension Request.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Compatibility Standards

No site plan issues with this proposed rezoning.



